

**SUMMARY OF THE  
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING  
MARCH 20, 2002**

The Environmental Laboratory Advisory Board (ELAB) met by teleconference on Wednesday, March 20, 2002, at 11:00 a.m., Eastern Standard Time (EST). Its chair, Zonetta English of Louisville and Jefferson County MSD, led the meeting. A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to address items of importance identified below.*

**INTRODUCTION**

The Designated Federal Officer (DFO), Edward Kantor of the U.S. Environmental Protection Agency (EPA), called the meeting to order and reviewed the ELAB Charter. Mr. Kantor then presented Chairperson Zonetta English who introduced herself and took attendance. Joining the teleconference from the public sector was Mr. Gene Klesta of the Environmental Health Laboratory, South Bend, Indiana, Ms. Nancy Freshour, and Ms. Carolyn Johnson of Dow Chemical, and Mr. Jim Pletl of the Hampton Roads Sanitation District. Also joining this call was Dr. Paul Kimsey representing the Transition Committee. Ms. English then reviewed the agenda, and commenced the meeting.

**TOPICS OF DISCUSSION**

***Review Minutes from February 20, 2002, ELAB Meeting***

The teleconference minutes of February 20, 2002, were reviewed and accepted as presented.

***Status of NELAC Restructuring***

A status report was given by Dr. Paul Kimsey on the results of the joint Transition and Program Policy & Structure Committee meeting held in Dallas, Texas on March 5-6, 2002. The committees developed the details of the Constitution and Bylaws for the Standards Adoption organization. Dr. Kimsey advised that any suggested changes and recommendations would be discussed and finalized during the Transition Committee teleconference scheduled for March 27, 2002. The approved draft will then be transmitted to the Board of Directors for review and approval. This draft will be available to the NELAC membership by May 6, 2002, in preparation for discussion and vote during NELAC 8.

Ms. English recommended and the ELAB members concurred that the small laboratory participation during the restructuring phase should be considered. Dr. Kimsey assured ELAB that this is an ongoing issue of discussion within the joint committees. However, at this point of the restructuring phase, the committees are only developing the basis of the structures for Standards Development and Standards Adoption Groups. At the appropriate time, the committees will ask for recommendations to facilitate increased participation by the small laboratories.

It was noted by a public participant on this teleconference that any proposed amendments to the

NELAC Constitution must be published and discussed at an interim meeting prior to adoption at an annual meeting. By following the proposed restructuring timeline reported by Dr. Kimsey, this criterion may not be met. Dr. Kimsey responded that the proposal to be given at NELAC 8 is basically a continuation of what was presented at NELAC 7i. He indicated that the joint committees have been closely following the current NELAC Constitution and further stated that the rationale for being able to vote on this restructuring plan at NELAC 8 is because of the broad discussion held at NELAC 7i and the distribution of the restructuring plan 45 days prior to NELAC 8.

### ***Action Items from February 20, 2002 Meeting***

*Renewal timeframes of applications review* - Dr. Kumar Topudirti reported that he has been working with Mr. Jerry Parr to define this issue. Currently, in accordance with NELAC Standard 6.3.3, there are 30 calendar days allowed for the EPA to review and make a determination that an application is complete. Ms. Hankins indicated that 30 days does not allow for any leeway in emergency situations that could extend the EPA final determination time and affect the laboratory accreditation status. She indicated that there should never be an ambiguous accreditation status for a state that is applying or reapplying for recognition. Further, she stated that a process needs to be in place should there be a dispute and the timeline is exceeded. Ms. Hankins said that hard timelines cause unnecessary burdens on the states and the EPA. With the emergencies caused by the September 11, 2001, terrorist activities, congressional mandates took priority over voluntary programs such as NELAC. Therefore, in case of future emergencies of any type, there should be flexibility in the process to meet the timeline. A question was raised on what role the AARB could play in resolving this issue. ELAB members agreed that the AARB could play an excellent role in this particular issue. It was also agreed there is need for more private sector support and the need to get input from the entire community and not just the state. Dr. Topudirti will contact the AARB to obtain more information on the role it could assume in resolving this issue.

*CROMERRR Rule* - A summary on the CROMMERRR Rule public meeting held November 9, 2001, was given by Ms. Elaine LeMoine and Messrs. Robert Wyeth and Peter Spath. They advised that the proposed rule refers to electronic reporting and audit trail outlined in the requirements of 21 CFR and the benefits to the environmental testing community. It was noted that with this rule comes added comfort that data cannot be tampered with without administrative knowledge. A question was presented regarding the implementation of a hybrid electronic/paper trail system and whether it would be voluntary to use only an electronic, paper, or hybrid system. ELAB must determine what, if anything, they should be doing on this rule and the role to play in it. Because technology does not meet the criteria and technology currently used, there will be substantial added costs to retrofit and an increased potential for company non-compliance.

*Status of Contacting State Laboratory Associations* - The report to be given by Mr. Jerry Parr regarding the tools NELAC could provide to guide small laboratories participating in NELAP was deferred until the next scheduled ELAB teleconference.

*Small Laboratory Issue (Request from EPA)* - Mr. Kantor reported that ELAB must address problems and concerns of the non-NELAC laboratories and determine why those laboratories are against NELAC accreditation. It was suggested that a subcommittee be formed to draft a new Value Proposition Statement for distribution to the non-NELAC laboratories to encourage NELAC

membership. It was also suggested that there should be an expanded community outreach effort to present the strategic vision of NELAC. It was noted that the Membership & Outreach Committee would make a NELAC presentation at the Environmental Council of the States (ECOS) Spring Meeting in April 2002. Mr. Kantor, liaison from the NELAC Board of Directors, will advise the Membership & Outreach Committee to take an active role in finding out the reasons why laboratories choose not to participate in NELAC. It was also recommended that this expanded membership and outreach issue should be highlighted during the NELAC restructuring phase. Who will develop the Strategic Plan still needs to be determined. Further discussion will take place at the next scheduled ELAB teleconference.

### ***Review of ELAB Recommendations***

Ms. English deferred this review until the next scheduled teleconference. She reported that Mr. Jerry Parr had distributed by email copies of the ELAB issues and recommendations resulting from the meeting held December 04, 2001. Further, Ms. English requested that the ELAB members review the summary and status of each item and prioritize them prior to the next teleconference.

### **NEW BUSINESS**

Mr. Parr will attend an upcoming meeting with the Advisory Council for Water Information.

### **PROPOSED AGENDA ITEMS FOR NEXT CONFERENCE CALL**

All proposed agenda items should be transmitted by email to Ms. English in a timely fashion prior to the next scheduled teleconference.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned.

### **NEXT TELECONFERENCE**

The next scheduled teleconference is Wednesday, April 17, 2002, at 11:00 a.m., EST.

**ACTION ITEMS**  
**ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING**  
**MARCH 20, 2002**

<b>Item No.</b>	<b>Action</b>	<b>Date to be Completed</b>
1	Ms. English proposed that members review and prioritize the previous recommendations and discuss those issues that are still active at the next teleconference.	04/17/02
2	Mr. Parr moved to have an ELAB subcommittee start this week to draft an appropriate letter to send to the EPA Administrator that captures all the discussion points.	ASAP
3	Dr. Jackson suggested that ELAB consider forming a work group to get the involvement of small laboratories to look at the Standards to see if there is anything else that can be done to increase their involvement.	Ongoing
4	Renewal timeframes of applications review and status - Contact the AARB to obtain more information on the role it could assume in resolving this issue. (Topudurti)	04/17/02
5	Contact state laboratory associations to solicit recommendations regarding the tools NELAC could provide to guide the small laboratories (Parr)	03/20/02 Deferred to 04/17
6	Submit suggestions and comments regarding membership from municipal and industrial laboratories in ELAB to Ms. English (Pletl)	ASAP
7	Advise Membership & Outreach Committee to take more active role in encouraging non-NELAC laboratories to participate in NELAC (Kantor)	04/17/02
8	Develop Strategic Plan for non-NELAC laboratory participation in NELAC (To be determined)	ASAP

**PARTICIPANTS**  
**ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING**  
**MARCH 20, 2002**

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